

Representative Hall, Atlanta, Georgia**Wednesday, February 3, 2016****Fifteenth Legislative Day**

The House met pursuant to adjournment at 10:00 o'clock, A.M., this day and was called to order by the Speaker.

The roll was called and the following Representatives answered to their names:

Abrams	Cooke	Hatchett	Morris	Smith, E
Alexander	Coomer	Hawkins	Mosby	Smith, L
Allison	Cooper	E Henson	Nimmer	Smith, R
Atwood	Corbett	Hightower	Nix	E Smyre
Ballinger	E Dawkins-Haigler	Hitchens	Oliver	Spencer
Barr	Deffenbaugh	Holcomb	Pak	Stephens, M
Battles	Dempsey	Holmes	Parrish	Stephens, R
Beasley-Teague	Dickerson	Houston	Parsons	Stephenson
Belton	Dickey	Howard	Peake	Stovall
E Bennett, K	Dickson	Hugley	Petrea	Stover
Bennett, T	Douglas	E Jackson	Pezold	Strickland
Bentley	E Drenner	Jasperse	Pirkle	Tankersley
Benton	Dudgeon	Jones, J	Powell, A	Tanner
Beskin	Dukes	Jones, J.B.	Powell, J	Tarvin
Beverly	Dunahoo	Jones, L	Price	Taylor, D
Broadrick	Duncan	Jones, S	Prince	E Taylor, T
Brockway	Efstration	E Jordan	E Pruett	Teasley
Bruce	Ehrhart	Kaiser	Quick	Thomas, E
Bryant	England	Kelley	Raffensperger	Trammell
Buckner	Epps	Kendrick	Rakestraw	Turner
Burns	Evans	Kidd	Ramsey	E Waites
Caldwell, J	Fleming	Kirby	Reeves	Watson
Caldwell, M	E Floyd	Knight	Rhodes	Welch
Cantrell	Fludd	LaRiccica	Rice	Werkheiser
Carson	Frazier	Lott	Rogers, C	Wilkerson
Carter, A	Frye	Lumsden	Rogers, T	Wilkinson
Carter, D	Gardner	Mabra	Rutledge	E Willard
Casas	Gasaway	Marin	Rynders	Williams, A
Chandler	Gilligan	Maxwell	Scott	Williams, C
Cheokas	Glanton	McCall	Setzler	Williams, E
Clark, D	Gordon	McClain	Sharper	Williamson
E Clark, H	Gravley	Meadows	Shaw	Yates
Clark, V	Harden	Mitchell	Sims	Ralston, Speaker
Coleman	Harrell			

The following members were off the floor of the House when the roll was called:

Representatives Blackmon of the 146th, Golick of the 40th, Greene of the 151st, Martin of the 49th, Mayo of the 84th, Metze of the 55th, Randall of the 142nd, Thomas of the 56th, and Weldon of the 3rd.

They wished to be recorded as present.

Prayer was offered by Reverend Dr. Terry L. Johnson, Senior Minister, Independent Presbyterian Church, Savannah, Georgia.

The members pledged allegiance to the flag.

Representative Cheokas of the 138th, Chairman of the Committee on Information and Audits, reported that the Journal of the previous legislative day had been read and found to be correct.

By unanimous consent, the reading of the Journal was dispensed with.

The Journal was confirmed.

By unanimous consent, the following was established as the order of business during the first part of the period of unanimous consents:

1. Introduction of Bills and Resolutions.
2. First reading and reference of House Bills and Resolutions.
3. Second reading of Bills and Resolutions.
4. Reports of Standing Committees.
5. Third reading and passage of Local uncontested Bills.
6. First reading and reference of Senate Bills and Resolutions.

By unanimous consent, the following Bills of the House were introduced, read the first time and referred to the Committees:

HB 882. By Representatives Taylor of the 173rd, Smith of the 134th, Atwood of the 179th, Meadows of the 5th, Brockway of the 102nd and others:

A BILL to be entitled an Act to amend Chapter 3 of Title 33 of the Official Code of Georgia Annotated, relating to authorization and general requirements for the transaction of insurance, so as to eliminate the foreign and alien insurer deposit requirement of securities eligible for the investment of capital funds in certain amounts at the discretion of the Commissioner; to provide for the elimination of newspaper publication by insurers of certain financial information and to provide proof of such publication to the

Commissioner; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Insurance.

HB 883. By Representatives Taylor of the 173rd, Smith of the 134th, Atwood of the 179th, Meadows of the 5th, Brockway of the 102nd and others:

A BILL to be entitled an Act to amend Chapter 37 of Title 33 of the O.C.G.A., relating to insurers rehabilitation and liquidation, so as to change certain provisions relating to insurers rehabilitation and liquidation; to change provisions related to reciprocal states and domiciliary liquidators; to provide for the Commissioner to transfer title under his or her control to a domiciliary receiver; to modify certain provisions relating to the rights of nonresident claimants in proceedings against domiciliary insurers; to change certain provisions relating to the rights of resident claimants in proceedings in other states against nondomiciliary insurers; to remove the use of reciprocal in superiority of order of distribution in liquidation proceedings; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Insurance.

HB 884. By Representatives Taylor of the 173rd, Atwood of the 179th, Smith of the 134th, Meadows of the 5th, Brockway of the 102nd and others:

A BILL to be entitled an Act to amend Chapter 56 of Title 33 of the Official Code of Georgia Annotated, relating to risk-based capital levels, so as to revise the definition of company action level event to include a health organization with certain total adjusted capital levels; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Insurance.

HB 885. By Representatives Jones of the 47th, Price of the 48th, Beskin of the 54th, Raffensperger of the 50th, Willard of the 51st and others:

A BILL to be entitled an Act to amend Chapter 3 of Title 31 of the Official Code of Georgia Annotated, relating to county boards of health, so as to repeal a statute relating to the option for certain counties to create a county board of health and wellness by ordinance; to provide for an effective date; to provide for transition to county boards of health; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Governmental Affairs.

HB 886. By Representatives Cooper of the 43rd, Martin of the 49th, Smith of the 134th and Rogers of the 29th:

A BILL to be entitled an Act to amend Code Section 26-4-60 of the Official Code of Georgia Annotated, relating to grounds for suspension, revocation, or refusal to grant pharmacy licenses, so as to revise a provision relating to employing the mails or common carriers to sell, distribute, and deliver prescription drugs; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health & Human Services.

HB 887. By Representatives Efstration of the 104th, Ballinger of the 23rd, Quick of the 117th, Caldwell of the 131st, Abrams of the 89th and others:

A BILL to be entitled an Act to amend Articles 3 and 4 of Chapter 11 of Title 15 of the Official Code of Georgia Annotated, relating to dependency proceedings and termination of parental rights, respectively, so as to prioritize the placement of a child with a relative who is an adult or fictive kin when such individual is qualified to care for such child and it is in the best interests of the child; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Juvenile Justice.

HB 888. By Representative Caldwell of the 131st:

A BILL to be entitled an Act to transfer probation and intake services of the Juvenile Court of Upson County to the Georgia Department of Juvenile Justice pursuant to Code Section 15-11-69 of the Official Code of Georgia Annotated; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

HB 889. By Representative Kidd of the 145th:

A BILL to be entitled an Act to amend Part 4 of Article 1 of Chapter 18 of Title 43 of the Official Code of Georgia Annotated, relating to the operation of funeral establishments and crematories, so as to authorize certain

advertisements related to crematories and cremation services; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Regulated Industries.

HB 890. By Representative Werkheiser of the 157th:

A BILL to be entitled an Act to amend an Act providing for the election of the members of the board of education of Tattnall County, approved February 29, 1968 (Ga. L. 1968, p. 2077), as amended, particularly by an Act approved April 11, 2002 (Ga. L. 2002, p. 3922), so as to stagger the terms of the members of the board of education; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Intragovernmental Coordination - Local.

By unanimous consent, the following Bills of the House and Senate were read the second time:

HB 879
HB 881

HB 880
SB 279

Representative McCall of the 33rd District, Chairman of the Committee on Agriculture and Consumer Affairs, submitted the following report:

Mr. Speaker:

Your Committee on Agriculture and Consumer Affairs has had under consideration the following Bill of the House and has instructed me to report the same back to the House with the following recommendation:

HB 876 Do Pass

Respectfully submitted,
/s/ McCall of the 33rd
Chairman

Representative Knight of the 130th District, Chairman of the Committee on Game, Fish and Parks, submitted the following report:

Mr. Speaker:

Your Committee on Game, Fish and Parks has had under consideration the following Bill of the House and has instructed me to report the same back to the House with the following recommendation:

HB 840 Do Pass, by Substitute

Respectfully submitted,
/s/ Knight of the 130th
Chairman

Representative Cooper of the 43rd District, Chairman of the Committee on Health and Human Services, submitted the following report:

Mr. Speaker:

Your Committee on Health and Human Services has had under consideration the following Bills of the House and has instructed me to report the same back to the House with the following recommendations:

HB 34 Do Pass, by Substitute
HB 813 Do Pass, by Substitute
HB 853 Do Pass, by Substitute

Respectfully submitted,
/s/ Cooper of the 43rd
Chairman

Representative Rogers of the 29th District, Chairman of the Committee on Higher Education, submitted the following report:

Mr. Speaker:

Your Committee on Higher Education has had under consideration the following Bill of the House and has instructed me to report the same back to the House with the following recommendation:

HB 798 Do Pass, by Substitute

Respectfully submitted,
/s/ Rogers of the 29th
Chairman

Representative Smith of the 134th District, Chairman of the Committee on Insurance, submitted the following report:

Mr. Speaker:

Your Committee on Insurance has had under consideration the following Bills of the House and has instructed me to report the same back to the House with the following recommendations:

HB 193 Do Pass, by Substitute
HB 866 Do Pass

Respectfully submitted,
/s/ Smith of the 134th
Chairman

Representative Maxwell of the 17th District, Chairman of the Committee on Regulated Industries, submitted the following report:

Mr. Speaker:

Your Committee on Regulated Industries has had under consideration the following Bill of the House and has instructed me to report the same back to the House with the following recommendation:

HB 775 Do Pass, by Substitute

Respectfully submitted,
/s/ Maxwell of the 17th
Chairman

The following report of the Committee on Rules was read and adopted:

HOUSE RULES CALENDAR
WEDNESDAY, FEBRUARY 3, 2016

Mr. Speaker and Members of the House:

The Committee on Rules has fixed the calendar for this 15th Legislative Day as enumerated below:

DEBATE CALENDAR

Modified Open Rule

- HB 402 Insurance; encourage employers to provide work based learning opportunities for students age 16 and older; provisions (Substitute)(I&L-Lumsden-12th)
- HB 421 Retirement and pensions; officers employed by Department of Community Supervision shall be entitled to certain disability benefits; provide (Substitute)(Ret-Nimmer-178th)
- HB 690 Employees' Retirement System of Georgia; provide that certain law enforcement officers obtain creditable service in system under certain conditions; provisions (Substitute)(Ret-Carter-175th)
- HB 815 Meat inspection; inspection and regulation of certain avian meat products and facilities; provide (A&CA-Rhodes-120th)

Modified Structured Rule

- HB 691 Municipal courts; removal of appointed judges under certain circumstances; provide (Substitute)(Judy-Tanner-9th)
- HB 801 HOPE; include certain coursework in computer science as optional rigor requirements; revise provisions (Substitute)(HEd-Jones-47th)

Bills and Resolutions on this calendar may be called in any order the Speaker desires.

Respectfully submitted,
/s/ Meadows of the 5th
Chairman

The following message was received from the Senate through Mr. Cook, the Secretary thereof:

Mr. Speaker:

The Senate has passed by the requisite constitutional majority the following bills of the Senate and House:

- SB 193. By Senators Bethel of the 54th, Stone of the 23rd, Kennedy of the 18th, Parent of the 42nd, Unterman of the 45th and others:

A BILL to be entitled an Act to amend Code Section 16-5-23.1 of the Official Code of Georgia Annotated, relating to battery, so as to change penalty

provisions relating to family violence battery; to provide for a definition; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 243. By Senators Hill of the 4th and Shafer of the 48th:

A BILL to be entitled an Act to amend Chapter 23 of Title 47 of the Official Code of Georgia Annotated, relating to the Georgia Judicial Retirement System, so as to change certain provisions relating to preservation of rights by certain persons; to provide for membership in the system for certain persons in a full-time position requiring admission to the State Bar of Georgia as a condition of employment; to provide for an irrevocable election; to provide for a transfer of funds; to provide for creditable service; to provide for calculation of benefits; to change certain provisions relating to definitions; to provide a legislative purpose; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

HB 641. By Representatives Knight of the 130th and Yates of the 73rd:

A BILL to be entitled an Act to authorize the governing authority of Spalding County to levy an excise tax pursuant to subsection (b) of Code Section 48-13-51 of the O.C.G.A.; to provide procedures, conditions, and limitations; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 794. By Representative Bentley of the 139th:

A BILL to be entitled an Act to provide that the judge of the Probate Court of Macon County shall also serve as the chief magistrate judge of the Magistrate Court of Macon County on and after January 1, 2017; to provide for the continuation in office and expiration of term of the current chief magistrate judge; to provide for related matters; to repeal conflicting laws; and for other purposes.

By unanimous consent, the following Bills of the Senate were read the first time and referred to the Committees:

SB 193. By Senators Bethel of the 54th, Stone of the 23rd, Kennedy of the 18th, Parent of the 42nd, Unterman of the 45th and others:

A BILL to be entitled an Act to amend Code Section 16-5-23.1 of the Official Code of Georgia Annotated, relating to battery, so as to change penalty provisions relating to family violence battery; to provide for a definition; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary Non-Civil.

SB 243. By Senators Hill of the 4th and Shafer of the 48th:

A BILL to be entitled an Act to amend Chapter 23 of Title 47 of the Official Code of Georgia Annotated, relating to the Georgia Judicial Retirement System, so as to change certain provisions relating to preservation of rights by certain persons; to provide for membership in the system for certain persons in a full-time position requiring admission to the State Bar of Georgia as a condition of employment; to provide for an irrevocable election; to provide for a transfer of funds; to provide for creditable service; to provide for calculation of benefits; to change certain provisions relating to definitions; to provide a legislative purpose; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Retirement.

The following members were recognized during the period of Morning Orders and addressed the House:

Representatives Spencer of the 180th et al., Trammell of the 132nd, Williams of the 87th, Nimmer of the 178th et al., Bentley of the 139th, Carter of the 175th, Beverly of the 143rd et al., Carter of the 92nd et al., and Dempsey of the 13th.

Pursuant to HR 1163, the House recognized the United Service Organizations on the occasion of its 75th anniversary.

Pursuant to HR 1165, the House commended Georgia State University and recognized February 3, 2016, as Georgia State University Day at the state capitol.

Pursuant to HR 1188, the House recognized and commended the State YMCA of Georgia and its Center for Civic Engagement and "Y" Club programs which sponsor Youth Assembly among other programs that cultivate youth civic engagement and recognized the important work that the YMCA does in communities across Georgia.

Pursuant to HR 1154, the House recognized February 3, 2016, as 4-H Day at the State Capitol.

Pursuant to HR 1127, the House recognized February 3, 2016, as Albany-Dougherty County Day at the state capitol and commended the Albany Area Chamber of Commerce.

Under the general order of business, established by the Committee on Rules, the following Bills of the House were taken up for consideration and read the third time:

HB 402. By Representatives Lumsden of the 12th, England of the 116th, Broadrick of the 4th, Coleman of the 97th, Dickson of the 6th and others:

A BILL to be entitled an Act to amend Chapter 9 of Title 33 and Chapter 9 of Title 34 of the Official Code of Georgia Annotated, relating to regulation of insurance rates and workers' compensation, respectively, so as to encourage employers to provide work based learning opportunities for students age 16 and older; to provide for an optional reduction in workers' compensation premiums for employers that provide work based learning; to provide that work based learning students are covered under workers' compensation insurance; to establish criteria for employers providing work based learning; to provide for legislative findings; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following Committee substitute was read and adopted:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 9 of Title 33 and Chapter 9 of Title 34 of the Official Code of Georgia Annotated, relating to regulation of insurance rates and workers' compensation, respectively, so as to encourage employers to provide work based learning opportunities for students age 16 and older; to provide for an optional reduction in workers' compensation premiums for employers that provide work based learning; to provide that work based learning students are covered under workers' compensation insurance; to establish criteria for employers providing work based learning; to provide for legislative findings; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

The General Assembly finds that it would be beneficial to students, employers, and the economic health of the state to assist in providing highly trained, technologically sophisticated, and career oriented students which will aid in the development of a successful twenty-first century work force. By opening their doors to work based learning opportunities, employers can play an active role in shaping the quality of their future work force, by preparing potential leaders for their company and their community, and by helping shape future curriculum to create an educated work force for their industry as a whole. Work based learning programs can provide students the opportunity to work and learn in a real-world environment and prepare them for future career

opportunities. Such work based learning opportunities can be accomplished by developing partnerships between and among the business community, industry, students, parents, school systems, and postsecondary education institutions.

SECTION 2.

Chapter 9 of Title 33 of the Official Code of Georgia Annotated, relating to regulation of insurance rates, is amended by adding a new Code section to read as follows:

"33-9-40.3.

(a) For each policy of workers' compensation insurance issued or renewed in the state on and after July 1, 2016, there may be granted by the insurer up to a 5 percent reduction in the premium for such policy if the insured has been certified by the State Board of Education to the State Board of Workers' Compensation as a work based learning employer pursuant to Article 12 of Chapter 9 of Title 34 and has notified its insurer in writing of such certification.

(b) If granted, the premium discount provided by this Code section shall be applied to an insured's policy of workers' compensation insurance pro rata as of the date the insured receives such certification and shall continue for as long as the insured maintains the certification; provided, however, that an insurer shall not be required to credit the actual amount of the premium discount to the account of the insured until the final premium audit under such policy. Certification of an insured shall be required for each year in which a premium discount is granted.

(c) If it is determined that an insured misrepresented its qualifications for certification pursuant to Article 12 of Chapter 9 of Title 34, the workers' compensation insurance policy of such insured may be subject to an additional premium for the purposes of reimbursement of a previously granted premium discount and to cancellation in accordance with the provisions of the policy.

(d) Each insurer shall make an annual report, in accordance with guidelines established by the Commissioner, to the rating and statistical organization designated by the Commissioner illustrating the total dollar amount of the premium discounts applied pursuant to this Code section.

(e) The Commissioner shall conduct a study to determine the impact of the premium discounts provided pursuant to this Code section in encouraging employers to provide work based learning opportunities for students age 16 or older.

(f) The Commissioner shall be authorized to promulgate rules and regulations necessary for the implementation and enforcement of this Code section."

SECTION 3.

Chapter 9 of Title 34 of the Official Code of Georgia Annotated, relating to workers' compensation, is amended by adding a new Code section to read as follows:

"34-9-2.4.

(a) As used in this Code section, the term:

(1) 'Work based learning placement' or 'placement' shall have the same meaning as in Code Section 34-9-430.

(2) 'Work based learning student' or 'student' shall have the same meaning as in Code Section 34-9-430.

(b) Notwithstanding the provisions of paragraph (2) of Code Section 34-9-1:

(1) A work based learning student in a paid work based learning placement for an employer shall be deemed an employee of such employer for purposes of workers' compensation coverage; and

(2) A work based learning student in an unpaid work based learning placement for an employer shall be deemed an employee of such employer for purposes of workers' compensation coverage unless all of the following conditions apply:

(A) The placement, even though it includes actual operation of the facilities of the employer, is similar to training which would be given in an educational environment;

(B) The placement is for the benefit of the student;

(C) The student does not displace regular employees, but works under close supervision of existing staff;

(D) The employer that provides the training derives no immediate advantage from the activities of the student; and on occasion its operations may actually be impeded;

(E) The student is not necessarily entitled to a job at the conclusion of the placement; and

(F) The employer and the student understand that the student is not entitled to wages for the time spent in the placement."

SECTION 4.

Said chapter is further amended by adding a new article to read as follows:

"ARTICLE 12

34-9-430.

As used in this article, the term:

(1) 'Employer' means a person or entity that is subject to the provisions of this chapter but shall not include the state or any department, agency, or instrumentality of the state; any county; any county or independent school system; any municipal corporation; or any employer which is self-insured for the purposes of this chapter.

(2) 'Employer member of a group self-insurance fund' means any employer who is a member of a fund certified pursuant to Code Section 34-9-153.

(3) 'Self-insured employer' means any employer certified pursuant to Code Section 34-9-127.

(4) 'Work based learning coordinator' means a school employee who coordinates and supervises students in work based learning placements.

(5) 'Work based learning employer' means an employer who provides work based learning placements in accordance with this article.

(6) 'Work based learning placement' or 'placement' means an arrangement between a business or industry partner and a local school system in which students are released for a portion of the school day for structured learning at an employer's job site in either a paid or unpaid position while receiving academic credit. Work based learning placements include, but are not limited to, employability skill development, service learning, cooperative education, internship, youth apprenticeship, and clinical experiences.

(7) 'Work based learning student' means a student age 16 or older in a work based learning placement for an employer.

34-9-431.

(a) A work based learning employer that has been certified pursuant to this Code section may be eligible for a premium discount under such employer's workers' compensation insurance policy pursuant to Code Section 33-9-40.3.

(b) The State Board of Education shall certify to the State Board of Workers' Compensation that a work based learning employer meets the following requirements:

(1) Enters into a training agreement with one or more work based learning students, the student's parent or guardian, and the school's work based learning coordinator;

(2) Develops, in conjunction with the school's work based learning coordinator, a detailed training plan for the work based learning student that focuses on development of technical skills and employability skills;

(3) Assigns a mentor to the work based learning student and assist in monitoring the progress of such student;

(4) Provides workers' compensation insurance coverage for the work based learning student;

(5) Complies with all federal, state, and local laws and regulations regarding the employment of students; and

(6) Complies with the rules and regulations of the State Board of Education.

34-9-432.

A self-insured employer or an employer member of a group self-insurance fund that provides work based learning placements for one or more work based learning students substantially in accordance with Code Section 34-9-431 and that complies with all other provisions of this article required of employers in order to qualify for insurance premium discounts may be certified by the State Board of Education to the State Board of Workers' Compensation as a work based learning employer in compliance with this article."

SECTION 5.

All laws and parts of laws in conflict with this Act are repealed.

The report of the Committee, which was favorable to the passage of the Bill, by substitute, was agreed to.

On the passage of the Bill, by substitute, the roll call was ordered and the vote was as follows:

Y Abrams	Y Coomer	Y Harrell	Y Mitchell	Y Smith, L
Y Alexander	Y Cooper	Y Hatchett	Y Morris	Y Smith, M
Y Allison	Y Corbett	Y Hawkins	Y Mosby	Y Smith, R
Y Atwood	Y Dawkins-Haigler	Y Henson	Y Nimmer	E Smyre
Y Ballinger	Y Deffenbaugh	Y Hightower	Y Nix	Y Spencer
Y Barr	Y Dempsey	Y Hitchens	Y Oliver	Y Stephens, M
Y Battles	Y Dickerson	Y Holcomb	Y Pak	Y Stephens, R
Y Beasley-Teague	Y Dickey	Y Holmes	Y Parrish	Y Stephenson
Y Belton	Y Dickson	Y Houston	Y Parsons	Y Stovall
Y Bennett, K	Y Dollar	Y Howard	Y Peake	Y Stover
Y Bennett, T	Y Douglas	Y Hugley	Y Petrea	Y Strickland
Y Bentley	Y Drenner	E Jackson	Y Pezold	Y Tankersley
Y Benton	Y Dudgeon	Y Jasperse	Y Pirkle	Y Tanner
Y Beskin	Y Dukes	Y Jones, J	Y Powell, A	Y Tarvin
Y Beverly	Y Dunahoo	Y Jones, J.B.	Y Powell, J	Y Taylor, D
Y Blackmon	Y Duncan	Y Jones, L	Y Price	Y Taylor, T
Y Broadrick	Y Ealum	Y Jones, S	Y Prince	Y Teasley
Y Brockway	Y Efstoration	E Jordan	E Pruett	Y Thomas, A.M.
Y Bruce	Y Ehrhart	Y Kaiser	Y Quick	Y Thomas, E
Y Bryant	Y England	Y Kelley	Y Raffensperger	Y Trammell
Y Buckner	Y Epps	Y Kendrick	Y Rakestraw	Y Turner
Y Burns	Y Evans	Y Kidd	Y Ramsey	VACANT
Y Caldwell, J	Y Fleming	Y Kirby	Y Randall	E Waites
Y Caldwell, M	E Floyd	Y Knight	Y Reeves	Y Watson
Y Cantrell	Fludd	Y LaRiccica	Y Rhodes	Y Welch
Y Carson	Y Frazier	Y Lott	Y Rice	Weldon
Y Carter, A	Y Frye	Y Lumsden	Y Rogers, C	Y Werkheiser
Y Carter, D	Gardner	Y Mabra	Y Rogers, T	Y Wilkerson
Y Casas	Y Gasaway	Y Marin	Y Rutledge	Y Wilkinson
Y Chandler	Y Gilligan	Y Martin	Y Rynders	E Willard
Y Cheokas	Y Glanton	Y Maxwell	Y Scott	Y Williams, A
Y Clark, D	Y Golick	Y Mayo	Y Setzler	E Williams, C
E Clark, H	Y Gordon	Y McCall	Y Sharper	Y Williams, E
Y Clark, V	Y Gravley	Y McClain	Y Shaw	Y Williamson
Y Coleman	Y Greene	Y Meadows	Y Sims	Y Yates
Y Cooke	Y Harden	Y Metz	Y Smith, E	Ralston, Speaker

On the passage of the Bill, by substitute, the ayes were 166, nays 0.

The Bill, having received the requisite constitutional majority, was passed, by substitute.

HB 421. By Representatives Nimmer of the 178th, Coomer of the 14th, Dickey of the 140th and Rogers of the 10th:

A BILL to be entitled an Act to amend Code Section 47-2-221 of the Official Code of Georgia Annotated, relating to disability allowances payable to personnel for certain disabilities arising in the line of duty, so as to provide

that community supervision officers employed by the Department of Community Supervision shall be entitled to certain disability benefits; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

The following Committee substitute was read and adopted:

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 47-2-221 of the Official Code of Georgia Annotated, relating to disability allowances payable to personnel for certain disabilities arising in the line of duty, so as to provide that community supervision officers employed by the Department of Community Supervision shall be entitled to certain disability benefits; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 47-2-221 of the Official Code of Georgia Annotated, relating to disability allowances payable to personnel for certain disabilities arising in the line of duty, is amended by revising subsection (b) as follows:

"(b)(1) Notwithstanding the disability allowance provided for in Code Section 47-2-123, any employee of the Department of Natural Resources appointed as a deputy conservation ranger under Code Section 27-1-17, any parole officer employed by the State Board of Pardons and Paroles, ~~and~~ any probation officer employed by the Department of Corrections, and any community supervision officer employed by the Department of Community Supervision who, while a contributing member of this retirement system and upon becoming permanently disabled due to an act of external violence or injury incurred in the line of law enforcement duty, becomes eligible for disability retirement allowances shall, after a medical examination and upon certification by the medical board that such member is, in their opinion, permanently disabled, be entitled to a monthly allowance as computed on the member's life expectancy without option. Such monthly allowance as shall be payable to the member only, during his or her life or length of disability, shall not exceed 80 percent of the service allowance that would have been payable to the member had he or she accumulated not more than 30 years of creditable service and had retired at age 65. Such allowance shall be computed on the basis of the member's monthly earnable compensation for the month in which his or her permanent disability occurred. Such permanent disability retirement shall apply regardless of the length of service of any such member; and such member shall be deemed to have acquired 30 or more years of creditable service. In addition, a member so disabled in the line of law enforcement

duty shall receive a monthly supplemental benefit which shall be in the amount of \$5.00 per month for each year of creditable service as an employee of the Department of Natural Resources who has been appointed as a deputy conservation ranger under Code Section 27-1-17, parole officer of the State Board of Pardons and Paroles, ~~or~~ probation officer of the Department of Corrections, or any community supervision officer employed by the Department of Community Supervision. Such additional monthly supplemental benefit shall in no event exceed \$150.00 per month.

(2) In lieu of the foregoing, any member so disabled in the line of law enforcement duty shall be entitled to receive a minimum monthly disability retirement benefit equal to 2 percent of his or her monthly earnable compensation for the month in which his or her permanent disability occurred for each year of creditable service determined as though he or she had continued in service as a deputy conservation ranger, probation officer, ~~or~~ parole officer, or a community supervision officer until his or her mandatory retirement age."

SECTION 2.

This Act shall become effective on July 1, 2016, only if it is determined to have been concurrently funded as provided in Chapter 20 of Title 47 of the Official Code of Georgia Annotated, the "Public Retirement Systems Standards Law"; otherwise, this Act shall not become effective and shall be automatically repealed in its entirety on July 1, 2016, as required by subsection (a) of Code Section 47-20-50.

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.

The report of the Committee, which was favorable to the passage of the Bill, by substitute, was agreed to.

On the passage of the Bill, by substitute, the roll call was ordered and the vote was as follows:

Y Abrams	N Coomer	Y Harrell	Y Mitchell	Y Smith, L
Y Alexander	Y Cooper	Y Hatchett	Y Morris	Y Smith, M
Y Allison	Y Corbett	Y Hawkins	Y Mosby	Y Smith, R
Y Atwood	Y Dawkins-Haigler	Y Henson	Y Nimmer	E Smyre
Y Ballinger	Y Deffenbaugh	Y Hightower	Y Nix	Y Spencer
Y Barr	Y Dempsey	Y Hitchens	Y Oliver	Y Stephens, M
Y Battles	Y Dickerson	Y Holcomb	Y Pak	Y Stephens, R
Y Beasley-Teague	Y Dickey	Y Holmes	Y Parrish	Y Stephenson
Y Belton	Y Dickson	Y Houston	Y Parsons	Y Stovall
Y Bennett, K	Y Dollar	Y Howard	Y Peake	Y Stover
Y Bennett, T	Y Douglas	Y Hugley	Y Petrea	Y Strickland
Y Bentley	Y Drenner	E Jackson	Y Pezold	Y Tankersley
Y Benton	Y Dudgeon	Y Jasperse	Y Pirkle	Y Tanner
Y Beskin	Y Dukes	Y Jones, J	Y Powell, A	Y Tarvin
Y Beverly	Y Dunahoo	Y Jones, J.B.	Y Powell, J	Y Taylor, D
Y Blackmon	Y Duncan	Y Jones, L	Y Price	Y Taylor, T

Y Broadrick	Y Ealum	Y Jones, S	Y Prince	Y Teasley
Y Brockway	Y Efstoration	E Jordan	E Pruett	Y Thomas, A.M.
Y Bruce	Y Ehrhart	Y Kaiser	Y Quick	Y Thomas, E
Y Bryant	Y England	Y Kelley	Y Raffensperger	Y Trammell
Y Buckner	Y Epps	Y Kendrick	Y Rakestraw	Y Turner
Y Burns	Y Evans	Y Kidd	Y Ramsey	VACANT
Y Caldwell, J	Y Fleming	Y Kirby	Y Randall	E Waites
Y Caldwell, M	E Floyd	Y Knight	Y Reeves	Y Watson
Y Cantrell	Fludd	Y LaRiccia	Y Rhodes	Y Welch
Y Carson	Y Frazier	Y Lott	Y Rice	Weldon
Y Carter, A	Y Frye	Y Lumsden	Y Rogers, C	Y Werkheiser
Y Carter, D	Y Gardner	Y Mabra	Y Rogers, T	Y Wilkerson
Y Casas	Y Gasaway	Y Marin	Y Rutledge	Y Wilkinson
Y Chandler	Y Gilligan	Y Martin	Y Rynders	E Willard
Y Cheokas	Y Glanton	Y Maxwell	Y Scott	Y Williams, A
Y Clark, D	Y Golick	Y Mayo	Y Setzler	E Williams, C
E Clark, H	Y Gordon	Y McCall	Y Sharper	Williams, E
Y Clark, V	Y Gravley	Y McClain	Y Shaw	Y Williamson
Y Coleman	Y Greene	Y Meadows	Y Sims	Y Yates
Y Cooke	Y Harden	Y Metze	Y Smith, E	Ralston, Speaker

On the passage of the Bill, by substitute, the ayes were 165, nays 1.

The Bill, having received the requisite constitutional majority, was passed, by substitute.

HB 801. By Representatives Jones of the 47th, Dickey of the 140th, Nimmer of the 178th, Rogers of the 10th, Burns of the 159th and others:

A BILL to be entitled an Act to amend Title 20 of the Official Code of Georgia Annotated, relating to education, so as to revise various provisions regarding the HOPE scholarship; to include certain coursework in computer science as optional rigor requirements; to provide for weighted scores for certain college coursework; to clarify definitions; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following Committee substitute was read and adopted:

A BILL TO BE ENTITLED AN ACT

To amend Title 20 of the Official Code of Georgia Annotated, relating to education, so as to revise various provisions regarding the HOPE scholarship; to include certain coursework in computer science as optional rigor requirements; to provide for weighted scores for certain college coursework; to provide for a biennial report; to clarify definitions; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 20 of the Official Code of Georgia Annotated, relating to education, is amended in Code Section 20-2-157, relating to the uniform reporting system for certain purposes and academic eligibility requirements to receive a HOPE scholarship, by revising subsection (f) as follows:

"(f) Beginning with students graduating from high school on or after May 1, 2017, in order to be eligible to receive a HOPE scholarship, a student shall receive credit in at least four courses prior to graduating from high school from the following categories:

- (1) Advanced math, such as Advanced Algebra and Trigonometry, Math III, or an equivalent or higher course;
- (2) Advanced science, such as Chemistry, Physics, Biology II, computer science, or an equivalent or higher course;
- (3) Advanced placement courses in core subjects;
- (3.1) Dual credit courses in core subjects;
- (4) International baccalaureate courses in core subjects;
- (5) Courses taken at a unit of the University System of Georgia in core subjects where such courses are not remedial and developmental courses, as defined in Code Section 20-3-519; or
- (6) Advanced foreign language courses.

Students may take one or more courses in each category; provided, however, that a course ~~may~~ shall only be counted one time. The Georgia Student Finance Commission shall be authorized to promulgate rules and regulations necessary to carry out the intent of this subsection."

SECTION 2.

Said title is further amended in Code Section 20-3-519.2, relating to eligibility requirements for a HOPE scholarship, by revising subsection (b) as follows:

"(b) To be eligible for a HOPE scholarship, a sophomore, junior, senior, or first professional student seeking an associate, baccalaureate, or first professional degree at an eligible postsecondary institution shall, in addition to meeting the residency requirements set forth in subsection (a) of Code Section 20-3-519.1:

- (1) Meet achievement standards by meeting the following criteria:
 - (A) Earning a cumulative grade point average of at least 3.0 at a postsecondary institution:
 - (i) At the end of the quarter or semester in which the student has attempted 45, 90, or 135 quarter hours or 30, 60, or 90 semester hours if such student is a full-time student; or
 - (ii) At the end of three consecutive quarters or semesters if such student is a part-time student and has maintained part-time student status for three consecutive quarters or semesters; and

(B) Maintaining satisfactory academic progress in a course of study in accordance with the standards and practices used for federal Title IV programs by the postsecondary institution in which the student is enrolled; and

(2) Meet enrollment standards by being admitted, enrolled, and classified as an undergraduate or first professional student in a matriculated status.

Beginning in academic year 2017-2018, the cumulative grade point average calculated pursuant to this subsection shall include weighted grades for specific science, technology, engineering, and mathematics (STEM) college courses identified by the Board of Regents of the University System of Georgia in consultation with the Technical College System of Georgia, the Department of Economic Development, and private eligible postsecondary institutions, by increasing the grade assigned by the instructor to the student for any such course by an additional 0.5 point if such grade is a B, C, or D. Such courses shall be academically rigorous and required for or leading to employment in high demand fields in Georgia in science, technology, engineering, and mathematics. Beginning with the completion of the 2017-2018 academic year, the Georgia Student Finance Commission shall provide a biennial report to the chairpersons of the House Committee on Higher Education and the Senate Higher Education Committee at the following general session of the legislature. The report shall include the fields identified as high demand fields and associated workforce shortages in science, technology, engineering, mathematics, and health care; the courses identified as academically rigorous and their relevance to such fields; and any other pertinent information that the Georgia Student Finance Commission deems relevant. The Governor shall be authorized to convene a task force to identify high demand fields and associated workforce shortages and may recommend to the Board of Regents of the University System of Georgia initial science, technology, engineering, and mathematics college courses to receive additional weight."

SECTION 3.

Said title is further amended in Code Section 20-3-519, relating to definitions relative to HOPE scholarships and grants, by revising paragraphs (9.1), (13), and (16.1) as follows:

"(9.1) 'Factor rate' means the percentage amount established by the Georgia Student Finance Commission against which the previous year tuition is multiplied for eligible public postsecondary institutions and against which the previous year HOPE award amount is multiplied for eligible private postsecondary institutions."

"(13) 'HOPE award rate' means the rate equal to the previous academic year ~~HOPE tuition payment to charged by~~ the eligible public postsecondary institution multiplied by the factor rate divided by 15. ~~Notwithstanding the foregoing, the~~ The Georgia Student Finance Commission may adjust shall recalculate the previous academic year ~~HOPE~~ tuition payment used to calculate the HOPE award rate to reflect changes in the mission or sector of an eligible public postsecondary institution that affects the tuition charged by that institution."

"(16.1) 'HOPE tuition payment' means, ~~in the case of an eligible public postsecondary institution, the amount paid for tuition only based on the standard~~

~~undergraduate full-time tuition rate for 15 hours; and,~~ in the case of an eligible private postsecondary institution, the amount paid for tuition based on the amount established by the General Assembly in an appropriations Act."

SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.

The report of the Committee, which was favorable to the passage of the Bill, by substitute, was agreed to.

On the passage of the Bill, by substitute, the roll call was ordered and the vote was as follows:

Y Abrams	Y Coomer	Y Harrell	Y Mitchell	Y Smith, L
Y Alexander	Y Cooper	Y Hatchett	Y Morris	Y Smith, M
Y Allison	Y Corbett	Y Hawkins	Y Mosby	Y Smith, R
Y Atwood	Y Dawkins-Haigler	Y Henson	Y Nimmer	E Smyre
Y Ballinger	Y Deffenbaugh	Y Hightower	Y Nix	Y Spencer
Y Barr	Y Dempsey	Y Hitchens	Y Oliver	Y Stephens, M
Y Battles	Y Dickerson	Y Holcomb	Y Pak	Y Stephens, R
Y Beasley-Teague	Y Dickey	Y Holmes	Y Parrish	Y Stephenson
Y Belton	Y Dickson	Y Houston	Y Parsons	Y Stovall
Y Bennett, K	Y Dollar	Y Howard	Y Peake	Y Stover
Y Bennett, T	Y Douglas	Y Hugley	Y Petrea	Y Strickland
Y Bentley	Y Drenner	E Jackson	Y Pezold	Y Tankersley
Y Benton	Y Dudgeon	Y Jasperse	Y Pirkle	Y Tanner
Y Beskin	Y Dukes	Y Jones, J	Y Powell, A	Y Tarvin
Y Beverly	Y Dunahoo	Y Jones, J.B.	Y Powell, J	Y Taylor, D
Y Blackmon	Y Duncan	Y Jones, L	Y Price	Y Taylor, T
Y Broadrick	Y Ealum	Y Jones, S	Y Prince	Y Teasley
Y Brockway	Y Efstration	E Jordan	E Pruett	Y Thomas, A.M.
Y Bruce	Y Ehrhart	Y Kaiser	Y Quick	Y Thomas, E
Y Bryant	Y England	Y Kelley	Y Raffensperger	Y Trammell
Y Buckner	Epps	Y Kendrick	Y Rakestraw	Y Turner
Y Burns	Y Evans	Y Kidd	Y Ramsey	VACANT
Y Caldwell, J	Y Fleming	Y Kirby	Y Randall	E Waites
Y Caldwell, M	E Floyd	Y Knight	Y Reeves	Y Watson
Y Cantrell	Y Fludd	Y LaRiccica	Y Rhodes	Y Welch
Y Carson	Y Frazier	Y Lott	Y Rice	Y Weldon
Y Carter, A	Y Frye	Y Lumsden	Y Rogers, C	Y Werkheiser
Y Carter, D	Y Gardner	Y Mabra	Y Rogers, T	Y Wilkerson
Y Casas	Y Gasaway	Y Marin	Y Rutledge	Y Wilkinson
Y Chandler	Y Gilligan	Y Martin	Y Rynders	E Willard
Y Cheokas	Y Glanton	Y Maxwell	Y Scott	Y Williams, A
Y Clark, D	Y Golick	Y Mayo	Y Setzler	E Williams, C
E Clark, H	Y Gordon	Y McCall	Y Sharper	Williams, E
Y Clark, V	Y Gravley	Y McClain	Y Shaw	Y Williamson
Y Coleman	Y Greene	Y Meadows	Y Sims	Y Yates
Y Cooke	Y Harden	Y Metze	Y Smith, E	Ralston, Speaker

On the passage of the Bill, by substitute, the ayes were 167, nays 0.

The Bill, having received the requisite constitutional majority, was passed, by substitute.

HB 690. By Representative Carter of the 175th:

A BILL to be entitled an Act to amend Part 5 of Article 8 of Chapter 2 of Title 47 of the Official Code of Georgia Annotated, relating to membership of certain law enforcement officers in the Employees' Retirement System of Georgia, so as to provide that certain law enforcement officers may obtain creditable service in such retirement system under certain conditions; to define a certain term; to provide for the payment of the full actuarial value of obtaining such creditable service; to provide for application; to provide for related matters; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

The following Committee substitute was read and adopted:

A BILL TO BE ENTITLED
AN ACT

To amend Part 5 of Article 8 of Chapter 2 of Title 47 of the Official Code of Georgia Annotated, relating to membership of certain law enforcement officers in the Employees' Retirement System of Georgia, so as to provide that certain law enforcement officers may obtain creditable service in such retirement system under certain conditions; to define a certain term; to provide for the payment of the full actuarial value of obtaining such creditable service; to provide for application; to provide for related matters; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Part 5 of Article 8 of Chapter 2 of Title 47 of the Official Code of Georgia Annotated, relating to membership of certain law enforcement officers in the Employees' Retirement System of Georgia, is amended by adding a new Code section to read as follows:

"47-2-226.

(a) As used in this Code section, the term 'law enforcement officer' means any member in service of the Uniform Division of the Department of Public Safety, any conservation ranger of the Department of Natural Resources, any officer or agent of the Georgia Bureau of Investigation, any district attorney investigator who is compensated from state funds pursuant to Code Section 15-18-14.1, and any alcohol and tobacco officer or agent of the Department of Revenue.

(b) Any law enforcement officer who, prior to becoming a member of this retirement system, was employed by a local government as a full-time employee, in a position in which he or she was vested with authority to enforce the criminal or traffic laws and with the power of arrest and whose duties include the preservation of public order, the protection of life and property, or the prevention, detection, or investigation of crime, shall be eligible to obtain creditable service under this Code section if:

(1) The member was not eligible for a defined benefit or defined contribution retirement or pension plan while employed by the local governing authority other than membership in the Peace Officers' Annuity and Benefit Fund; and

(2) The member has been a member of the retirement system for at least ten years.

(c) Any member eligible as provided in subsection (b) of this Code section may obtain up to an additional five years of creditable service, not to exceed the actual number of years of service described in subsection (b) of this Code section. In order to obtain such additional creditable service, the member shall:

(1) Make application to the board of trustees in such manner and provide such documentation as the board deems appropriate; and

(2) Pay to the board of trustees an amount determined by the board of trustees to be sufficient to cover the full actuarial cost of granting the creditable service as provided in this Code section.

(d) Upon receipt of an application for additional creditable service, the board of trustees shall certify to the applicant the amount of the payment required by paragraph (2) of subsection (c) of this Code section."

SECTION 2.

This Act shall become effective on July 1, 2016, only if it is determined to have been concurrently funded as provided in Chapter 20 of Title 47 of the Official Code of Georgia Annotated, the "Public Retirement Systems Standards Law"; otherwise, this Act shall not become effective and shall be automatically repealed in its entirety on July 1, 2016, as required by subsection (a) of Code Section 47-20-50.

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.

The report of the Committee, which was favorable to the passage of the Bill, by substitute, was agreed to.

On the passage of the Bill, by substitute, the roll call was ordered and the vote was as follows:

Y Abrams	Y Coomer	Y Harrell	Y Mitchell	Y Smith, L
Y Alexander	Y Cooper	Y Hatchett	Y Morris	Y Smith, M
Y Allison	Y Corbett	Y Hawkins	Y Mosby	Y Smith, R
Y Atwood	Y Dawkins-Haigler	Y Henson	Y Nimmer	E Smyre
Y Ballinger	Y Deffenbaugh	Y Hightower	Y Nix	Y Spencer

Y Barr	Y Dempsey	Y Hitchens	Y Oliver	Y Stephens, M
Y Battles	Y Dickerson	Y Holcomb	Y Pak	Y Stephens, R
Beasley-Teague	Y Dickey	Y Holmes	Y Parrish	Y Stephenson
Y Belton	Y Dickson	Y Houston	Y Parsons	Y Stovall
Y Bennett, K	Y Dollar	Y Howard	Y Peake	Y Stover
Y Bennett, T	Y Douglas	Y Hugley	Y Petrea	Strickland
Y Bentley	Y Drenner	E Jackson	Y Pezold	Y Tankersley
Y Benton	Y Dudgeon	Y Jasperse	Y Pirkle	Y Tanner
Y Beskin	Y Dukes	Jones, J	Y Powell, A	Y Tarvin
Y Beverly	Y Dunahoo	Y Jones, J.B.	Y Powell, J	Y Taylor, D
Y Blackmon	Y Duncan	Y Jones, L	Y Price	Y Taylor, T
Y Broadrick	Y Ealum	Y Jones, S	Y Prince	Y Teasley
Y Brockway	Y Efstration	E Jordan	E Pruett	Y Thomas, A.M.
Y Bruce	Y Ehrhart	Y Kaiser	Y Quick	Y Thomas, E
Y Bryant	Y England	Y Kelley	Y Raffensperger	Y Trammell
Y Buckner	Y Epps	Y Kendrick	Y Rakestraw	Y Turner
Y Burns	Y Evans	Y Kidd	Y Ramsey	VACANT
Y Caldwell, J	Y Fleming	Y Kirby	Y Randall	E Waites
Y Caldwell, M	E Floyd	Y Knight	Y Reeves	Y Watson
Y Cantrell	Y Fludd	Y LaRiccica	Y Rhodes	Y Welch
Y Carson	Y Frazier	Y Lott	Rice	Y Weldon
Y Carter, A	Y Frye	Y Lumsden	Y Rogers, C	Y Werkheiser
Y Carter, D	Y Gardner	Y Mabra	Y Rogers, T	Y Wilkerson
Y Casas	Y Gasaway	Y Marin	Y Rutledge	Y Wilkinson
Y Chandler	Y Gilligan	N Martin	Y Rynders	E Willard
Y Cheokas	Y Glanton	Y Maxwell	Y Scott	Y Williams, A
Y Clark, D	Y Golick	Y Mayo	Setzler	E Williams, C
E Clark, H	Y Gordon	Y McCall	Y Sharper	Williams, E
Y Clark, V	Y Gravley	Y McClain	Y Shaw	Y Williamson
Y Coleman	Y Greene	Y Meadows	Y Sims	Y Yates
Y Cooke	Y Harden	Y Metze	Y Smith, E	Ralston, Speaker

On the passage of the Bill, by substitute, the ayes were 162, nays 1.

The Bill, having received the requisite constitutional majority, was passed, by substitute.

HB 691. By Representatives Tanner of the 9th, Willard of the 51st, Welch of the 110th, Caldwell of the 131st and Golick of the 40th:

A BILL to be entitled an Act to amend Article 1 of Chapter 32 of Title 36 of the Official Code of Georgia Annotated, relating to municipal courts generally, so as to provide the removal of appointed municipal court judges under certain circumstances; to provide for procedure; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following Committee substitute was read and adopted:

A BILL TO BE ENTITLED AN ACT

To amend Article 1 of Chapter 32 of Title 36 of the Official Code of Georgia Annotated, relating to municipal courts generally, so as to provide for the removal of appointed municipal court judges under certain circumstances; to provide for procedure; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 1 of Chapter 32 of Title 36 of the Official Code of Georgia Annotated, relating to municipal courts generally, is amended by revising subsection (a) of Code Section 36-32-2, relating to appointment of judges, as follows:

"(a) Notwithstanding any other provision of this chapter or any general or local Act, the governing authority of each municipal corporation within this state having a municipal court, as provided by the Act incorporating the municipal corporation or any amendments thereto, is authorized to appoint a judge of such court. Any person individual appointed as a judge under this Code section shall possess such qualifications as set forth in Code Section 36-32-1.1 and shall receive such compensation as shall be fixed by the governing authority of the municipal corporation and shall serve at the pleasure of the governing authority. Any individual appointed as a judge under this Code section shall serve for a minimum term of one year and until a successor is appointed or if the judge is removed from office as provided in Code Section 36-32-2.2. Such term shall be memorialized in a written agreement between such individual and the governing authority of the municipal corporation or in an ordinance or a charter."

SECTION 2.

Said article is further amended by adding a new Code section to read as follows:

"36-32-2.2.

(a) As used in this Code section, the term 'judge' means an individual serving as an appointed municipal court judge.

(b)(1) A judge may be removed during his or her term of office by a two-thirds' vote of the entire membership of the governing authority of the municipal corporation for:

(A) Willful misconduct in office;

(B) Willful and persistent failure to perform duties;

(C) Habitual intemperance;

(D) Conduct prejudicial to the administration of justice which brings the judicial office into disrepute; or

(E) Disability seriously interfering with the performance of duties, which is, or is likely to become, of a permanent character.

(2) A municipality may define in its charter further conduct that may lead to a judge's removal.

(c) Removal proceedings pursuant to subsection (b) of this Code section may be initiated only by written petition setting forth the grounds for removal of a judge signed

by one or more members of the governing authority of the municipal corporation. Upon submission of the petition to remove the judge to such governing authority, the governing authority may consider the petition and determine if the petition relates to and adversely affects the administration of the office of the judge and the rights and interests of the public. If it is determined at a public meeting by a majority vote of the governing authority of the municipal corporation that there is an adverse impact, the judge may be suspended immediately and without further action for up to 60 days pending the final determination pursuant to subsection (e) of this Code section. A judge suspended pursuant to this subsection shall continue to receive the compensation from his or her office until the final determination on the petition or expiration of the suspension.

(d) If by the expiration of the suspension period no formal resolution of the petition has been made, the judge shall be reinstated.

(e) Removal proceedings shall consist of an open and public hearing held by the governing authority of the municipal corporation, provided that the judge against whom such charges have been brought shall be furnished a copy of the charges at least ten days prior to the hearing. At the conclusion of the hearing, the governing authority of the municipal corporation shall determine whether or not to remove the judge from office. The governing authority of the municipal corporation may adopt rules governing the procedures at such hearings, provided that such hearings comport with due process. The right of certiorari from the decision to remove a judge from office shall exist, and such certiorari shall be obtained under the sanction of a judge of the superior court of the circuit in which the governing authority of the municipal corporation is situated.

(f) This Code section shall not affect the power and authority of the Judicial Qualifications Commission to discipline, remove, or cause the involuntary retirement of judges.

(g) Any vacancy in a judgeship created by the removal of a judge pursuant to this Code section may be temporarily filled by the governing authority of the municipal corporation for a period not longer than 90 days by any individual qualified by law to serve as a municipal court judge. If after the conclusion of the removal proceedings, including the appeal period, there is a vacancy for such judgeship, the governing authority of the municipal corporation may appoint a judge in the same manner as set forth in Code Section 36-32-2.

(h) The provisions of this Code section shall expressly supersede any conflicting local law of this state."

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.

The report of the Committee, which was favorable to the passage of the Bill, by substitute, was agreed to.

On the passage of the Bill, by substitute, the roll call was ordered and the vote was as follows:

Y Abrams	Y Coomer	Y Harrell	Y Mitchell	Y Smith, L
Y Alexander	Y Cooper	Y Hatchett	Y Morris	Y Smith, M
Y Allison	Y Corbett	Y Hawkins	Y Mosby	Y Smith, R
Y Atwood	Y Dawkins-Haigler	Henson	Y Nimmer	E Smyre
Y Ballinger	Y Deffenbaugh	Y Hightower	Y Nix	N Spencer
Y Barr	Y Dempsey	Y Hitchens	Y Oliver	Y Stephens, M
Y Battles	Y Dickerson	Y Holcomb	Y Pak	Y Stephens, R
Y Beasley-Teague	Y Dickey	Y Holmes	Y Parrish	Y Stephenson
Y Belton	Y Dickson	Y Houston	Y Parsons	Y Stovall
Y Bennett, K	Y Dollar	Y Howard	Y Peake	Y Stover
Y Bennett, T	Y Douglas	Y Hugley	Y Petrea	Y Strickland
Y Bentley	N Drenner	E Jackson	N Pezold	Y Tankersley
N Benton	Y Dudgeon	Y Jasperse	Y Pirkle	Y Tanner
Y Beskin	Y Dukes	Y Jones, J	Y Powell, A	N Tarvin
Y Beverly	Y Dunahoo	Y Jones, J.B.	Y Powell, J	Y Taylor, D
Y Blackmon	Y Duncan	Y Jones, L	Y Price	Y Taylor, T
Y Broadrick	Y Ealum	Y Jones, S	Y Prince	Y Teasley
Y Brockway	Y Efstration	E Jordan	E Pruett	Y Thomas, A.M.
Y Bruce	Y Ehrhart	N Kaiser	N Quick	Y Thomas, E
Y Bryant	Y England	Y Kelley	Y Raffensperger	N Trammell
Y Buckner	Y Epps	Y Kendrick	Y Rakestraw	Y Turner
Y Burns	Y Evans	Y Kidd	Y Ramsey	VACANT
Y Caldwell, J	Y Fleming	Y Kirby	Y Randall	E Waites
N Caldwell, M	E Floyd	Y Knight	Y Reeves	Y Watson
Y Cantrell	Y Fludd	Y LaRiccica	Y Rhodes	Y Welch
Y Carson	Y Frazier	Y Lott	Y Rice	Weldon
Y Carter, A	N Frye	Y Lumsden	Y Rogers, C	Y Werkheiser
Y Carter, D	Y Gardner	Y Mabra	Y Rogers, T	Y Wilkerson
Y Casas	Y Gasaway	Y Marin	Y Rutledge	Y Wilkinson
Y Chandler	Y Gilligan	Y Martin	Y Rynders	E Willard
Y Cheokas	Y Glanton	Y Maxwell	Y Scott	Y Williams, A
Y Clark, D	Y Golick	Y Mayo	Y Setzler	E Williams, C
E Clark, H	Y Gordon	Y McCall	Y Sharper	Williams, E
Y Clark, V	Y Gravley	Y McClain	Y Shaw	Y Williamson
Y Coleman	Y Greene	Y Meadows	Y Sims	Y Yates
N Cooke	Y Harden	Y Metze	Y Smith, E	Ralston, Speaker

On the passage of the Bill, by substitute, the ayes were 155, nays 11.

The Bill, having received the requisite constitutional majority, was passed, by substitute.

By unanimous consent, the following Bill of the House was postponed until the next legislative day:

HB 815. By Representatives Rhodes of the 120th, McCall of the 33rd, Broadrick of the 4th, Williams of the 119th, Knight of the 130th and others:

A BILL to be entitled an Act to amend Article 3 of Chapter 2 of Title 26 of the Official Code of Georgia Annotated, relating to meat inspection, so as to provide for the inspection and regulation of certain avian meat products and facilities related to the processing of such products for human consumption; to provide for uniformity; to remove an obsolete provision relating to enforcement responsibility; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following Resolutions of the House were read and adopted:

HR 1255. By Representative Dollar of the 45th:

A RESOLUTION honoring the Georgia High School Fencing League and its Member Teams; and for other purposes.

HR 1256. By Representative Werkheiser of the 157th:

A RESOLUTION recognizing and commending Mr. Zuber Malek; and for other purposes.

HR 1257. By Representative Werkheiser of the 157th:

A RESOLUTION honoring the life and memory of Mr. Mourice Collins; and for other purposes.

HR 1258. By Representatives Hitchens of the 161st and Burns of the 159th:

A RESOLUTION honoring the life and memory of Mr. Edward J. Davis; and for other purposes.

HR 1259. By Representatives Petrea of the 166th, Stephens of the 164th, Gordon of the 163rd, Hitchens of the 161st and Stephens of the 165th:

A RESOLUTION recognizing and commending the members of the St. Patrick's Day Parade Committee, Chairman Jerry Hogan, Jr., and the Grand Marshal of the 2016 St. Patrick's Day Parade on the upcoming occasion of the 2016 St. Patrick's Day Parade in Savannah, Georgia; and for other purposes.

HR 1260. By Representatives Powell of the 32nd, Taylor of the 173rd, Hitchens of the 161st, Lumsden of the 12th, Jasperse of the 11th and others:

A RESOLUTION commending police chiefs and other heads of law enforcement agencies in this state and recognizing Monday, February 15, 2016, as Police Chiefs and Heads of Law Enforcement Agencies Recognition Day at the capitol; and for other purposes.

HR 1261. By Representative Dudgeon of the 25th:

A RESOLUTION recognizing and commending Sara Cleland upon being honored with the Girl Scout Gold Award; and for other purposes.

HR 1262. By Representatives Williams of the 119th, Rogers of the 29th, Ehrhart of the 36th, Frye of the 118th, Quick of the 117th and others:

A RESOLUTION commending the student leaders at the University of Georgia and recognizing February 9, 2016, as University of Georgia Day at the state capitol; and for other purposes.

HR 1263. By Representatives Stephens of the 165th, Gordon of the 163rd, Hitchens of the 161st, Bryant of the 162nd and Petrea of the 166th:

A RESOLUTION recognizing March 6-12, 2016, as School Social Workers Association of Georgia, Inc. Week; and for other purposes.

HR 1264. By Representatives Nix of the 69th, Hightower of the 68th, Smith of the 70th and Cooke of the 18th:

A RESOLUTION recognizing February 18, 2016, as Carroll County Day at the state capitol; and for other purposes.

HR 1265. By Representative Harden of the 148th:

A RESOLUTION recognizing the annual Cordele-Crisp County Fish Fry and commending Mr. Royce Reeves, Mr. Clark Henderson, Mr. Rusty Slade, Mr. Ron Cruz, and the Cordele-Crisp County Fish Fry cooking team; and for other purposes.

HR 1266. By Representative Dudgeon of the 25th:

A RESOLUTION recognizing and commending Peyton Ledford upon being honored with the Girl Scout Gold Award; and for other purposes.

HR 1267. By Representatives Mabra of the 63rd, Ramsey of the 72nd, Fludd of the 64th, Yates of the 73rd and Stover of the 71st:

A RESOLUTION recognizing and commending Christian Reese; and for other purposes.

HR 1268. By Representatives Douglas of the 78th, Mabra of the 63rd, Hugley of the 136th, Wilkerson of the 38th, Evans of the 42nd and others:

A RESOLUTION recognizing the need for more recess time; and for other purposes.

Representative Burns of the 159th moved that the House do now adjourn until 10:00 o'clock, tomorrow morning, and the motion prevailed.

The Speaker announced the House adjourned until 10:00 o'clock, tomorrow morning.